



**REGULAR CITY COUNCIL MEETING
FRISCO CITY HALL
GEORGE A. PUREFOY MUNICIPAL CENTER
COUNCIL CHAMBERS
6101 FRISCO SQUARE BLVD.
FRISCO, TEXAS 75034**

5:30 PM

TUESDAY, NOVEMBER 18, 2008

MINUTES

CALL TO ORDER

Deputy Mayor Pro Tem Felker called the meeting to order at 5:30 p.m. and announced a quorum was present.

1. ROLL CALL

Mayor	Maher Maso	Absent
Mayor Pro Tem	Tony Felker	Present
Deputy Mayor Pro Tem	Joy West	Present
Council Member	Scott Johnson	Absent
Council Member	Jeff Cheney	Present
Council Member	David Prince	Present
Council Member	Bart Crowder	Present

Mayor Maso will be arriving late.

Representing staff were: City Manager, George Purefoy; Deputy City Manager, Henry Hill; Assistant City Manager, Nell Lange; Assistant City Manager, Ron Patterson; Director of Frisco CVB, Marla Roe; Director of Engineering Services, Cissy Sylo; Director of Financial Services, Anita Cothran; Division Chief, Ryan Wolford; Director of Planning &

Dev, John Lettelleir; Police Chief, Todd Renshaw; Director of Public Works, Gary Hartwell; Development Coordinator, Scott Ingalls; City Attorney, Richard Abernathy and Sr. Administrative Assistant Estela Barrera.

CLOSED SESSION

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit;

Deputy Mayor Pro Tem West moved to Recess into Closed Session at 5:31p.m. in compliance with Section 551.001 et. seq. Texas Government Code, to wit;. Council Member Jeff Cheney seconded the motion.

Passed

Vote: 4 - 0

For: Joy West, Jeff Cheney, Bart Crowder, David Prince,;

Against: (None)

Mayor Pro Tem Felker announced Council was in Closed Session at 5:31 p.m.

- A. Section 551.071. Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:
 - i. Update on Cause 296-01766-2008; Black Lab Partnership Fund, Ltd. vs. City of Frisco.
 - B. Section 551.072. To deliberate the purchase, exchange, lease or value or real property located:
 - i. South of US 380, North of Lebanon Road, East of FM 423, and West of Hillcrest Road.
 - C. Section 551.087. Deliberation regarding commercial or financial information that the City has received from a business prospect and to deliberate the offer or other incentives to a business prospect.
 - D. Section 551.074. Evaluation of City Manager.
3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

Mayor Maso arrived at 5:43 p. m. and joined the Council in Closed Session.

Mayor Pro Tem Felker moved to reconvene into Regular Session at 6:41 p.m. Council Member Prince seconded the motion.

Passed

Vote: 5 - 0

For: Joy West, Tony Felker, Jeff Cheney, Bart Crowder, David Prince

Against: (None)

Mayor Maso announced there was no action taken as a result of Closed Session.

INVOCATION

Pastor Jason Duke, from Compass Christian Church, led the invocation.

PLEDGE OF ALLEGIANCE

Girl Scout Troop 2920, fourth graders from Rogers, Bright and Fisher Elementary, led the audience in the Pledge of Allegiance and the Texas Pledge of Allegiance.

Members of Troop 2920 are: Callie Colgrove, McKenzie Hardzog, Aemilia Lindhal, Sydney Marchbanks, Loryn McFall, Mary Catherine Moroch, Ashley Pacheco, Kaylee Pennington, Kaylee Scott, Bethany Snyder, Morgan Sullivan, Kellie Travers and Lauren Williams. Also in attendance were: Leaders Amanda Pacheco and Rhonda Colgrove.

PROCLAMATIONS

4. Evan Sousa-Eagle Scout

Mayor Maso proclaimed November 18, 2008 Evan Sousa Day for acquiring the rank of Eagle Scout.

REPORTS

5. Jim Gandy Awarded CCIM Designation

Mayor Maso and George Purefoy congratulated Jim Gandy, Director of Frisco EDC, for being awarded the CCIM certification.

6. Recognition of Leadership Frisco Class 12. (Mayor)

Mayor Maso introduced Leadership Frisco Class 12. Christine Overberger, 8832 Shady Shore Dr., Frisco, TX addressed the Council, explaining their plans to benefit the City of Frisco.

John Land, Chamber of Commerce, explained what a Frisco Leadership class is all about.

7. Financial Services Monthly Report

Anita Cothran

8. Planning & Development Monthly Report

John Lettelleir

9. Public Works Monthly Report

Gary Hartwell

10. Police Department Monthly Report

Todd Renshaw

11. Fire Department Monthly Report

Ryan Wolford

12. CVB Monthly Report

Marla Roe

CITIZEN INPUT (to begin approximately at 7:30 p.m.)

There was no one present for Citizen Input.

CONSENT AGENDA

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A majority of the Council is required to remove any item for discussion and separate action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

Deputy Mayor Pro Tem West moved to approve the CONSENT AGENDA as submitted. Council member Crowder seconded the motion.

Passed

Vote: 5 - 0

For: Joy West, Tony Felker, Jeff Cheney, Bart Crowder, David Prince

Against: (None)

13. Consider and act upon approval of the Minutes from the November 04, 2008 Regular City Council Meeting. (CSO)

14. Consider and Act Upon Award of RFP #0809-079, GIS Software for Emergency Responses to GeoComm, and Approval of Resolution Authorizing the City Manager to Execute an Agreement for this Software. (IT)

Resolution No. 08-11-256R

15. Consider and act upon adoption of a Resolution authorizing the City Manager to execute a Professional Services Agreement by and between The City of Frisco and Lee Engineering, L.L.C. for Traffic Signal Design Services for Main Street at Preston Road, Main Street at Hillcrest Road, Main Street at Coit Road, and Main Street at Independence Parkway. (ENG)

Resolution No. 08-11-257R

16. Review and Accept the Quarterly Investment Report for the period ending September 30, 2008. (FIN)
17. Review and accept the annual investment report for the year ending September 30, 2008. (FIN)
18. Consider and act upon approval of a resolution opposing the continued preemption of municipal regulation of certain intra-state gas utilities and urging legislative action to permit greater local regulatory oversight. (CMO)

Resolution No. 08-11-258R

19. Call for Public Hearing: A request for a Specific Use Permit for a Communications Tower for the City of Frisco to be located on 10.9+ acres on the northwest corner of Stonebrook Parkway and Parkwood Boulevard. (P & D)

LEGISLATIVE AGENDA

(These items may legally require Council Action, but by Council Policy should be the City Manager's responsibility. The Legislative Agenda can be acted upon in one motion. The concurrence of two council members is required to remove any item for separate discussion and action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

Deputy Mayor Pro Tem West moved to approve the LEGISLATIVE AGENDA as submitted. Council member Crowder seconded the motion.

Passed

Vote: 5 - 0

For: Joy West, Tony Felker, Jeff Cheney, Bart Crowder, David Prince

Against: (None)

20. Consider and act upon an amendment to Ordinance 07-09-45 establishing maximum speed limits on city streets within the City of Frisco. (ENG)

Ordinance No. 08-11-98

21. Consider and act upon adoption of an Ordinance changing the name of Jasmine Way, a Public Way, in the Legacy Crossing Addition to Punjab Way. Neighborhood #45. STRE08-0010. (P & D)

Ordinance No. 08-11-99

22. Consider and act upon adoption of an Ordinance to amend Planned Development-188 regarding permitted uses on 159.1± acres on the north side of Main Street, 500± feet east of the Dallas North Tollway. Zoned Planned Development-188-Office-2. Neighborhood #46. Zoning Case Z08-0014. (P & D)

Ordinance No. 08-11-100

23. Consider and act upon adoption of an Ordinance adding the name Main Street to Farm-to-Market 3537 from Preston Road to Custer Road. Neighborhoods #12-19. STRE08-0015. (P & D)

Ordinance No. 08-11-101

24. Consider and act upon adoption of an Ordinance changing the name of West Main Street to Frisco Square Boulevard from the Dallas North Tollway to Main Street. Neighborhood #21. STRE08-0018. (P & D)

Ordinance No. 08-11-102

REGULAR AGENDA

25. Consider and Act upon the appointment of an individual to serve on the Denton County Transportation Authority Board. (CC/MM)

Council member Cheney moved to reappoint Jeff Snowden. Council member Prince seconded the motion. Motion passed. Vote: 5:0.

26. Public Hearing: Comprehensive Plan Amendment CA08-0001, A request to amend the Comprehensive Plan to incorporate the Hike & Bike Trail Master Plan and consider and act to direct staff to prepare an Ordinance of the same. (P & D)

John Lettelleir introduced Dudley Raymond to address the Council regarding a request to amend the Comprehensive Plan to incorporate the Hike & Bike Trail Master Plan.

Dudley Raymond introduced David McCastle, HNTB, to explain the updates to the Hike and Bike Trail Master Plan.

Council member Prince moved to open the public hearing. Deputy Mayor Pro Tem Joy West seconded the motion.

Passed

Vote: 5 - 0

For: Joy West, Tony Felker, Jeff Cheney, Bart Crowder, David Prince

Against: (None)

There was no one present to speak for or against Item 26.

Council member Prince moved to close the public hearing. Deputy Mayor Pro Tem Joy West seconded the motion.

Passed

Vote: 5 - 0

For: Joy West, Tony Felker, Jeff Cheney, Bart Crowder, David Prince

Against: (None)

Following discussion, Council directed staff to prepare an Ordinance to amend the Comprehensive Plan to incorporate the Hike & Bike Trail Master Plan.

27. Specific Use Permit SUP08-0009, A request for a Drop-In Child Care on one lot on 0.8± acre on the south side of Lebanon Road, 500± west of Ohio Drive and consider and act to direct staff to prepare an Ordinance of the same. Neighborhood #29. (P & D)

Scott Ingalls was present to address the Council regarding a request for a Drop-In Child Care on one lot on 0.8± acre on the south side of Lebanon Road, 500± feet west of Ohio Drive.

Council member Prince moved to open the public hearing. Mayor Pro Tem Tony Felker seconded the motion.

Passed

Vote: 5 - 0

For: Joy West, Tony Felker, Jeff Cheney, Bart Crowder, David Prince

Against: (None)

There was no one present to speak for or against Item 27.

Council member Prince moved to close the public hearing. Council member Cheney seconded the motion.

Passed

Vote: 5 - 0

For: Joy West, Tony Felker, Jeff Cheney, Bart Crowder, David Prince

Against: (None)

Following discussion, Deputy Mayor Pro Tem West moved to approve Specific Use Permit SUP08-0009. Council member David Prince seconded the motion.

Passed

Vote: 4 - 1

For: Joy West, Tony Felker, Jeff Cheney, David Prince
Against: Bart Crowder

28. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to Planning and Development Services, pursuant to Article IV, Section 1.07(C) of the Comprehensive Zoning Ordinance and/or Section 4.05 of the Subdivision Regulation Ordinance, regarding action taken by the Planning and Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to Planning and Development Services. (Planning and Development Services)

No Appeals.

Council member Prince moved to Recess into Closed Session in compliance with Section 551.001 and Section 551.074. Council member Crowder seconded the motion.

Mayor Maso announced there was no action taken as a result of Executive Session.

Council member Prince moved to reconvene into Regular Session at 10:03 p.m. Council member Crowder seconded the motion.

Passed

Vote: 5 - 0

For: Joy West, Tony Felker, Jeff Cheney, Bart Crowder, David Prince

Against: (None)

29. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

Quick recap of Audit Budget Report

30. Discussion on Governance Monitoring of present City Council Meeting.

Mayor Pro Tem Felker gave the Council a B+.

ADJOURN

There being no additional business, the meeting was adjourned at 10:08 p.m. Jeff Cheney made a motion to Adjourn. David Prince seconded the motion.

Passed

Vote: 5 - 0

For: Joy West, Tony Felker, Jeff Cheney, Bart Crowder, David Prince

Against: (None)

Maher Maso, Mayor

ATTEST:

City Secretary